

AMENDED

Serial No. **57167**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office FEB 06 1992Returned to applicant for correction FEB 21 1992Corrected application filed FEB 28 1992 Map filed MAR 20 1992 under 57166The applicant Hollis L. and Joyce C. HarrisBox 244 of Pahrump
Street and No. or P.O. Box No. City or TownNevada 89041 hereby make application for permission to change the
State and Zip Code No.point of diversion, manner and place of use of a portion
Point of diversion, manner of use, and/or place of useof water heretofore appropriated under Permit 11536, Certificate 4995
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree andidentify right in Decree.1. The source of water is underground
Name of stream, lake, underground spring or other source.2. The amount of water to be changed .03 CFS not to exceed 10.60 acre feet annually
Second feet, acre feet. (One second foot equals 448.83 gallons per minute.)3. The water to be used for Quasi-Municipal
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.4. The water heretofore permitted for Irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.5. The water is to be diverted at the following point NE 1/4 NW 1/4 of Section 21, T. 19 S., R. 53 E.,
Describe as being within a 40-acre subdivision of public survey and by course andM.D.M. at a point from which the northeast corner of said Section 21 bears
distance to a section corner. If on unsurveyed land, it should be stated.N 86° 21' 37" E a distance of 2710.78 feet6. The existing permitted point of diversion is located within NE 1/4 SE 1/4 of Section 21, T. 19 S., R. 53 E.,
If point of diversion is not changed, do not answer.M.D.M. at a point from which the northeast corner of said Section 21 bears N 01°29' E a distance of 2709.00 feet.7. Proposed place of use All of Section 21 and a portion of the S 1/2 SW 1/4 of Section 22,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.T. 19 S., R. 53 E., M.D.M. See attachment8. Existing place of use SW 1/4 SE 1/4 of Section 21, T. 19 S., R. 53 E., M.D.M. Irrigation will be
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/ordiscontinued on 2.12 acres.
manner of use of irrigation permit, describe acreage to be removed from irrigation.9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day10. Use was permitted from March 1 to November 1 of each year.
Month and Day Month and Day11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) See attachment
State manner in which water is to be diverted, i.e. diversion structure;ditches, pipes and flumes, or drilled well, etc.12. Estimated cost of works \$100,00013. Estimated time required to construct works two years

14. Estimated time required to complete the application of water to beneficial use ten years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

See attachment

By s/Milton L. Sharp

Milton L. Sharp, Agent

2995 Skyline Blvd, #205, Reno, NV. 89509

Compared bk/se ap/se

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 11536, Certificate 4995 is issued subject to the terms and conditions imposed in said Permit 11536, Certificate 4995 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 57166 and 57167 shall not exceed 210.60 acre-feet annually.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.034 cubic feet per second, but not to exceed 10.6

acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before January 6, 1994

Proof of completion of work shall be filed before February 6, 1994

Application of water to beneficial use shall be made on or before January 6, 1998

Proof of the application of water to beneficial use shall be filed on or before February 6, 1998

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 6th day of January

A.D. 19 93


State Engineer

Abrogated By 57406 0.034

(PERMIT TERMS CONTINUED)

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

Any cancellation or withdrawal of this permit will result in the water returning to the source and not the base right.



ATTACHMENT.

Item 7. Proposed Place of Use

Parcel One - All of Section 21, T.19S., R.53E., M.D.M., an area of 640 acres more or less.

Parcel Two - A portion of the S 1/2 SW 1/4 of Section 22, T.19S., R.53E., M.D.M., more specifically described as follows:

Beginning at the southwest corner of said Section 22, the True Point of Beginning; thence along the south line of said Section 22, S 89° 57' 36" E a distance of 1,883.69 feet; thence N 00° 08' 08" W a distance of 939.30 feet; thence N 89° 55' 59" W a distance of 1,876.35 feet to a point on the west line of said Section 22; thence along the west line of said Section 22, S 00° 18' 43" W a distance of 940.19 feet to the True Point of Beginning; an area of 38.0 acres more or less.

Item 11. Description of Proposed Works.

Well is existing. Works of improvement will include installation of new pump and motor, hydro-pneumatic pressure regulating system, fire flow pump, transmission water main interconnecting existing wells in the NE 1/4 SW 1/4 and the NE 1/4 NW 1/4 of Section 21, T.19S., R.53E., M.D.M., transmission water mains for the purpose of delivering water to proposed residential subdivision and water distribution system within subdivision.

Item 15. Remarks.

The water proposed to be changed from irrigation to quasi-municipal use will be used to support development of residential subdivisions within the defined place of use, which is also the service area for Desert Utilities, Inc., a public utility company. The water proposed to be changed from irrigation use to quasi-municipal use, 10.60 acre feet annually, by this application will be commingled with a portion of water heretofore appropriated under Permit 11539, Certificate 4998, which is the subject of a separate application to change the manner and place of use. The application to change a portion of water heretofore appropriated under Permit 11539 affects 40.0 acres of land within the SE 1/4 SW 1/4 of Section 21 and an appropriation of 200.0 acre feet annually.

The total amount of water to be changed from irrigation use to quasi-municipal use by this application and the application affecting Permit 11539, is 210.60 acre feet and will be used to support development of not more than 284 single family residences within the service area of Desert Utilities, Incorporated. Determination of number of residential units is based on estimated demand of 0.74 acre feet per year per single family residence on a lot of approximately 16,000 square feet of area.

Estimated residential demand is based on experience of the Public

Service Commission of Nevada and Central Nevada Utilities Co. which is also a public utility company providing water service to customers in the Pahrump Valley. Attached is a copy of an excerpt from a filing with the Public Service Commission of Nevada by Central Nevada Utilities Company indicating determination by the PSC of water rights requirements for service to customers of the utility company. Since Desert Utility Company, Inc. will operate in the same geographical and climatic settings as Central Nevada Utilities Company, it seems reasonable to apply comparable demand rates for determination of service by Desert Utilities, Incorporated.

